

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA §  
§  
v. § No. 4:22CR162  
§ Judge Mazzant  
§  
§  
EDWARD VAUGHAN  
HADI AKKAD

## **MOTION TO CONTINUE TRIAL**

The United States files this motion to continue the trial setting in this matter, which is currently set for May 12, 2025. Counsel for the government has multiple conflicts during and around the time of the current trial setting. Specifically, one of the lead AUSAs for the government (AUSA Rattan) has a longstanding, prepaid, international trip scheduled between May 10<sup>th</sup> and May 24<sup>th</sup>. Other counsel for the government have two multi-defendant trials set before Judge Jordan, one beginning on June 2, 2025 and another beginning on June 23, 2025 (4:20CR382 and 4:24CR27). Counsel for the defendants also seek to move the trial date, citing an upcoming wedding in June, a baby due in September, and preplanned vacations in June and July. The government understands that the defendants are also preparing a motion relating to the release of funds for attorneys' fees, which the defendants will urge the Court to consider in conjunction with a trial resetting.

After conferring regarding these conflicts, the parties would request a trial setting on August 18, 2025, or alternatively, November 2025. The motion is not made for delay but so that justice may be done.

Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

This is to certify that the government conferred with defense counsel and that they do not oppose the motion. Counsel for Akkad intends to file a motion relating to attorneys' fees soon, and the government is still evaluating the merit of that motion and the request contained therein. At the request of counsel for Akkad, the government includes the following message:

"This motion for continuance creates a dilemma for Mr. Akkad, which counsel has never faced before. The government recently seized the Akkad's Pershing Bank account, which contained the remaining funds from the sale of ETS to USBank in 2018. With that account frozen, Mr. Akkad could not fully pay his lawyers for the first trial, or even reimburse all the out-of-pocket expenses that the lawyers advanced (counsel advanced over \$60,000 out of pocket that has not been reimbursed), nor can he pay for the expenses and fees for a second trial. We have sent the government for its review a draft motion to release a small portion of the seized account to secure counsel, which we will file on April 23. We believe that the case law supports our request, and we hope to have the government's position before filing. We ask the Court to consider that motion for funds in connection with the government's for continuance."

*/s/ Anand Varadarajan*  
Anand Varadarajan

**CERTIFICATE OF SERVICE**

I certify a true and correct copy of this motion was served on defense counsel by ECF on April 22, 2025.

*/s/ Anand Varadarajan*  
Anand Varadarajan